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FM SECSTATE WASHDC

TO AMEMBASSY ABU DHABI PRIORITY

AMEMBASSY NEW DELHI PRIORITY

AMEMBASSY PRETORIA PRIORITY

AMEMBASSY WINDHOEK PRIORITY

INFO AMEMBASSY ABIDJAN

AMEMBASSY CONAKRY

AMEMBASSY DAR ES SALAAM

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AMEMBASSY FREETOWN

AMEMBASSY GABORONE

AMEMBASSY HARARE

AMCONSUL JOHANNESBURG

AMEMBASSY KINSHASA

AMEMBASSY LUANDA

AMEMBASSY LUSAKA

SOUTHERN AFRICAN DEVELOPMENT COMMUNITY

AMEMBASSY BANGKOK

AMEMBASSY BEIJING

AMEMBASSY BERLIN

AMEMBASSY BERN

AMEMBASSY BRUSSELS

AMEMBASSY CANBERRA

AMCONSUL DUBAI

AMEMBASSY JAKARTA

AMEMBASSY LISBON

AMEMBASSY LONDON

AMEMBASSY MOSCOW

REVIEW AUTHORITY: Adolph Eisner, Senior
Reviewer

AMCONSUL MUMBAI
AMEMBASSY OTTAWA
AMEMBASSY PARIS
AMEMBASSY TEL AVIV
AMEMBASSY TOKYO
USEU BRUSSELS
USMISSION USUN NEW YORK

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SUBJECT: CONFLICT DIAMONDS-WINDHOEK CONFERENCE AND WAY
FORWARD

CLASSIFIED BY EB/ESC DAS ANNA BORG, REASONS 1.5(B) AND
(D)

1.(U) THIS IS AN ACTION REQUEST FOR EMBASSIES NEW
DELHI, PRETORIA, WINDHOEK AND ABU DHABI. SEE PARAS 13
- 16.

2.(C) SUMMARY: PARTICIPANTS IN FEBRUARY 13-16 MEETINGS
ON CONFLICT DIAMONDS IN WINDHOEK AGREED ON A ROADMAP
OF FUTURE KIMBERLEY PROCESS MEETINGS AND ESTABLISHED A
GOVERNMENT-INDUSTRY TASK FORCE TO PREPARE FOR A LATE-
APRIL MEETING IN BELGIUM. DURING MARCH, THE TASK
FORCE WILL SEND GOVERNMENTS A QUESTIONNAIRE ON DIAMOND
IMPORT/EXPORT CONTROLS, AND CANADA WILL ANALYZE THE
RESPONSES. OTHER TASK FORCE MEMBERS WILL DRAFT PAPERS
ON THE ANGOLA AND SIERRA LEONE CERTIFICATION SYSTEMS
AND ELEMENTS OF CERTIFICATION SYSTEM STANDARDS. THE
TASK FORCE WILL MEET APRIL 3-4 IN LONDON TO FINALIZE
THESE PAPERS, WHICH WILL BE CIRCULATED TO GOVERNMENTS,

INDUSTRY, AND NGOS BEFORE THE APRIL 25-27 BELGIUM
MEETING. A PARTICULARLY ENCOURAGING DEVELOPMENT AT
WINDHOEK WAS THE RUSSIAN DELEGATION'S [REDACTED]
WILLINGNESS TO CONSIDER PARTICIPATION IN A
CERTIFICATION SYSTEM. GOVERNMENT AND INDUSTRY ACTIONS
IN WINDHOEK WERE INFLUENCED BY EVENTS IN THE U.S.,
WHERE THE CONFLICT DIAMOND ISSUE CONTINUES TO ATTRACT
LEGISLATIVE AND NGO ATTENTION. THE INDUSTRY HAS
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PROPOSED DRAFT LEGISLATION, AND REP. TONY HALL PLANS
TO PROPOSE A SEPARATE NGO-BACKED BILL. SEPTTEL
CONTAINS THE TEXTS OF THE WINDHOEK CONFERENCE'S
COMMUNIQUE, THE ROADMAP OF FUTURE MEETINGS, AND THE
TASK FORCE TERMS OF REFERENCE. END SUMMARY.

CONFERENCE PARTICIPATION

3.(U) THE WINDHOEK CONFERENCE WAS BILLED AS BOTH A MEETING OF THE "EXPANDED KIMBERLEY PROCESS" OF GOVERNMENTS, INDUSTRY, AND NGOS MANDATED BY UNGA RESOLUTION 55/56 OF DECEMBER 2000 AND A TECHNICAL WORKSHOP. GOVERNMENT DELEGATIONS MET ON FEBRUARY 13, AND THE BROADER CONFERENCE TOOK PLACE FEBRUARY 14-16. PARTICIPANTS INCLUDED REPRESENTATIVES FROM TWENTY-SEVEN GOVERNMENTS (INCLUDING THE HOST COUNTRIES FOR ALL EMBASSY ADDRESSEES EXCEPT THE UNITED ARAB EMIRATES), THE EUROPEAN COMMISSION, SADC, THE INDUSTRY-LED WORLD DIAMOND COUNCIL(WDC), SEVERAL PRIVATE AND GOVERNMENT-OWNED FIRMS, AND THE NGOS GLOBAL WITNESS, PARTNERSHIP AFRICA CANADA, AND OXFAM USA. SOUTH AFRICA SERVED AS THE CHAIR OF THE MEETING, AS IT IS OF THE OVERALL KIMBERLEY PROCESS. THE TECHNICAL WORKSHOP INCLUDED PRESENTATIONS ON HOW ROUGH DIAMONDS ARE HANDLED IN ANGOLA, SIERRA LEONE, BELGIUM, RUSSIA, AND ISRAEL.

4.(C) THE MOST VOCAL PARTICIPANTS WERE BELGIUM, THE WDC, GLOBAL WITNESS, CANADA, THE USA, THE E.C., RUSSIA, THE UNITED KINGDOM, ISRAEL, AUSTRALIA, ANGOLA, AND SWITZERLAND. MANY OF THE REPRESENTATIVES OF OTHER
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GOVERNMENTS WERE FROM EMBASSIES IN NAMIBIA OR SOUTH AFRICA AND SAID LITTLE. CHINA HAD THE LARGEST DELEGATION AT THE CONFERENCE, MAINLY INDUSTRY REPRESENTATIVES, BUT WAS NOT AN ACTIVE PARTICIPANT. THE E.C. RAISED A NUMBER OF COMMISSION-SPECIFIC CONCERNS AND SUGGESTED THAT FUTURE MEETINGS INCLUDE A REPRESENTATIVE FROM THE WTO.

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ROADMAP

5.(U) GOVERNMENT DELEGATIONS AGREED DURING THEIR FEBRUARY 13 MEETING TO THE FOLLOWING SCHEDULE AND AGENDAS FOR KIMBERLEY PROCESS EXPERTS MEETINGS DURING THE YEAR:

APRIL (HOSTED BY BELGIUM) - EXISTING IMPORT/EXPORT CONTROLS AND IDENTIFICATION OF ELEMENTS OF MINIMUM ACCEPTABLE STANDARDS FOR THE INTERNATIONAL CERTIFICATION SCHEME FOR ROUGH DIAMONDS. THE GOB EXPECTS TO HOST THIS MEETING AT THE END OF APRIL.

JUNE (RUSSIA) - DEFINITION OF PROPOSALS FOR MINIMUM ACCEPTABLE STANDARDS.

SEPTEMBER (UNITED KINGDOM) - DEVELOP DETAILED PROPOSALS

FOR THE INTERNATIONAL CERTIFICATION SCHEME FOR ROUGH
DIAMONDS BASED ON THE AGREED MINIMUM ACCEPTABLE STANDARDS.
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(NOTE: DEPARTMENT EXPECTS THAT ISSUES SURROUNDING THE
FORMAT OF AN AGREEMENT WOULD BE ADDRESSED AT THIS
MEETING.)

OCTOBER (ANGOLA, PENDING CONFIRMATION) - FINALIZE DETAILED
PROPOSALS FOR THE INTERNATIONAL CERTIFICATION SCHEME.
CONSOLIDATE INPUT FOR REPORT BACK TO THE UNGA.

NOVEMBER (BOTSWANA) - POSSIBLE MINISTERIAL MEETING.

6.(C) MANY DELEGATIONS ALSO STATED THAT THE ISSUE OF
GLOBAL STANDARDS FOR REPORTING TRADE STATISTICS WOULD NEED
TO BE ADDRESSED IN ONE OR MORE OF THE MEETINGS, THOUGH
THIS WAS LEFT OUT OF THE FORMAL TERMS OF REFERENCE
DOCUMENT BECAUSE OF RUSSIAN CONCERNS.

TASK FORCE

7.(C) INDUSTRY AND NGOS INITIALLY EXPRESSED CONCERN THAT
THE GOVERNMENTS' SCHEDULE OF MEETINGS WOULD TAKE FAR TOO
LONG TO IMPLEMENT A GLOBAL CERTIFICATION SYSTEM. AT THE
URGING OF THE WORLD DIAMOND COUNCIL, KEY GOVERNMENTS
AGREED TO CREATE A GOVERNMENT-INDUSTRY TASK FORCE (FULL
MEMBERSHIP LISTED SEPTTEL) TO ASSIST SOUTH AFRICA IN
PREPARING FOR THE MEETINGS. MEMBERS WILL INCLUDE THE MOST
INTERESTED GOVERNMENTS AND SEVEN WORLD DIAMOND COUNCIL

REPRESENTATIVES. THE NGO GLOBAL WITNESS WILL OBSERVE.
DELEGATIONS ALSO AGREED TO INCLUDE IN THE COMMUNIQUE A
STATEMENT THAT EVERY POSSIBLE EFFORT WOULD BE MADE TO
ACCELERATE THE PROCESS LAID OUT IN THE ROADMAP.
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8.(SBU) THE BELGIAN DIAMOND HIGH COUNCIL INDUSTRY
GROUP AND THE BELGIAN GOVERNMENT AGREED TO DRAFT AND
CIRCULATE TO KIMBERLEY PROCESS GOVERNMENTS BY MARCH 1
A QUESTIONNAIRE REQUESTING INFORMATION ON DIAMOND
IMPORT/EXPORT CONTROLS. SOUTH AFRICA'S PERMANENT
REPRESENTATIVE TO THE UNITED NATIONS WILL CIRCULATE
THE QUESTIONNAIRE TO UN REPRESENTATIVES OF OTHER
COUNTRIES WHERE ROUGH DIAMONDS ARE MINED, TRADED OR
POLISHED. RECIPIENTS ARE TO RESPOND BY MARCH 15 TO
CANADA, WHICH WILL COLLATE AND ANALYZE ANSWERS. THE
BELGIAN GOVERNMENT WILL ALSO PREPARE A DOCUMENT
ANALYZING THE EXISTING CERTIFICATION SYSTEMS IN ANGOLA
AND SIERRA LEONE AND A DOCUMENT SUGGESTING POSSIBLE
ELEMENTS OF MINIMUM ACCEPTABLE STANDARDS FOR A GLOBAL
CERTIFICATION SYSTEM. GLOBAL WITNESS INTENDS TO
CIRCULATE A SEPARATE ANALYSIS OF THE ANGOLA AND SIERRA

LEONE CERTIFICATION SYSTEMS, AND THE EUROPEAN COMMISSION WILL PREPARE A PRESENTATION ON THE COMPATIBILITY OF A GLOBAL CERTIFICATION SYSTEM WITH INTERNATIONAL LAW. THESE DOCUMENTS WILL BE SENT BY THE END OF MARCH TO THE TASK FORCE, WHICH WILL MEET APRIL 3-4 IN LONDON TO FINALIZE THEM SO THEY CAN BE CIRCULATED TO ALL KIMBERLEY PROCESS MEMBERS THREE WEEKS BEFORE THE BELGIUM MEETING, TENTATIVELY SET FOR APRIL 25-27.

ATMOSPHERICS

9.(C) THE APPROPRIATE ROLES OF GOVERNMENT, INDUSTRY, AND NGOS IN THE KIMBERLEY PROCESS REMAINED A SOURCE OF
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OCCASIONAL DISAGREEMENT AMONG DELEGATIONS, AND THE GROUPS' DIFFERING MOTIVATIONS OFTEN SURFACED. THE WDC AND OTHER INDUSTRY DELEGATIONS REPEATEDLY ARGUED THAT A FAILURE TO ACT QUICKLY TO ESTABLISH A GLOBAL CERTIFICATION SYSTEM COULD GENERATE U.S. LEGISLATION OR CONSUMER BOYCOTTS THAT WOULD DAMAGE THE WORLDWIDE DIAMOND INDUSTRY.

SOME GOVERNMENTS EMPHASIZED THE NEED FOR THOROUGHNESS AND BALKED AT WHAT THEY DESCRIBED AS INDUSTRY ATTEMPTS TO USURP GOVERNMENT FUNCTIONS. BY THE END OF THE CONFERENCE, INDUSTRY AND NGOS APPEARED TO ACKNOWLEDGE THAT

PROGRESS WAS BEING MADE AND ACCEPT THAT SEVERAL MEETINGS WOULD BE NECESSARY BEFORE A SYSTEM COULD BE READY. EACH OF THE MEETINGS ENVISIONED IN THE ROADMAP WILL INCLUDE A SEPARATE GOVERNMENT-ONLY SESSION BUT WILL OTHERWISE BE OPEN TO INDUSTRY AND NGO MEMBERS OF THE KIMBERLEY PROCESS. (THE IDEA OF "GOVERNMENT-ONLY" MEETINGS WAS RENDERED SOMEWHAT MOOT WHEN SOME GOVERNMENTS, INCLUDING CHINA, RUSSIA, AND ISRAEL, INCLUDED INDUSTRY OFFICIALS AS PART OF THEIR DELEGATIONS.) WHEN SUCH ISSUES CAME UP, THE U.S. DELEGATION EXPRESSED SUPPORT FOR THE BROADEST POSSIBLE PARTICIPATION OF INDUSTRY AND NGOS WHILE NOTING THAT SOME FUNCTIONS WERE INHERENTLY GOVERNMENTAL. STILL UNANSWERED IS THE QUESTION OF WHAT IF ANY BODY WILL OVERSEE GLOBAL CERTIFICATION AND ADDRESS ALLEGATIONS OF VIOLATIONS. AMONG THE IDEAS MENTIONED WERE INDUSTRY SELF-REGULATION, A SEPARATE INTERNATIONAL
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TREATY (UK), THE UN ORGANIZED CRIME CONVENTION (FRANCE), AND THE UN SECURITY COUNCIL (EC).

RUSSIAN POSITION EVOLVES

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10.(C) A SOMEWHAT ENCOURAGING SIGN WAS THE ATTITUDE THE RUSSIAN DELEGATION TOOK BOTH IN THE CONFERENCE AND IN FREQUENT MEETINGS ON THE MARGINS. WHILE GOR AND INDUSTRY REPS

[REDACTED] NOW APPEAR WILLING TO CONSIDER REPORTING AGGREGATE INFORMATION ON RUSSIA'S ROUGH DIAMOND TRADE. (WITHOUT SUCH REPORTING BY ALL MAJOR PLAYERS, IT WOULD BE DIFFICULT TO UNCOVER EVEN LARGE-SCALE VIOLATIONS OF A GLOBAL CERTIFICATION REGIME OF THE FORM CURRENTLY ENVISIONED.) THIS REPRESENTS A SIGNIFICANT ADVANCE FROM THE RUSSIAN POSITION AT PREVIOUS MEETINGS. HOWEVER, THE RUSSIANS CONTINUED TO ARGUE A POSITION ONLY AFTER CAREFUL DELIBERATION, AND IT IS NOT CLEAR WHETHER RUSSIA WOULD SUPPORT EMPOWERING A BODY TO TAKE ACTION AGAINST GOVERNMENTS OR FIRMS FOUND TO BE VIOLATING A GLOBAL CERTIFICATION REGIME.

US LEGISLATION/NGO ACTIVITY

11.(U) SEVERAL SPEAKERS AT THE WINDHOEK EVENT CITED ONGOING NGO AND LEGISLATIVE ACTIVITY IN WASHINGTON AS A THREAT TO THE INDUSTRY IF INDUSTRY AND GOVERNMENT DID NOT ACT QUICKLY TO ESTABLISH A GLOBAL CERTIFICATION SYSTEM SEEN AS BEING EFFECTIVE. ON FEBRUARY 14, REPRESENTATIVES TONY HALL (D-OH), FRANK CONFIDENTIAL

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WOLF (R-VA), AND CYNTHIA MCKINNEY (D-GA) HELD A PRESS CONFERENCE WITH REPRESENTATIVES OF AMNESTY INTERNATIONAL USA AND OTHER NGOS TO DRAW ATTENTION TO THE CONFLICT DIAMONDS ISSUE AND FORESHADOW THE PROPOSED LEGISLATION THEY WILL ANNOUNCE AT THE END OF FEBRUARY. AMNESTY INTERNATIONAL USA HAS STARTED A CAMPAIGN FEATURING A VIDEO PARODY OF A DEBEERS COMMERCIAL (SEE [HTTP://WWW.AMNESTY-USA.ORG/DIAMONDS/D4.HTML](http://www.amnesty-usa.org/diamonds/d4.html)). THE FEBRUARY 18 EDITION OF THE SIXTY MINUTES TELEVISION PROGRAM ALSO INCLUDED A SEGMENT ON CONFLICT DIAMONDS. THE MANDATE OF THE PANEL OF EXPERTS EXAMINING VIOLATIONS OF UNSC SANCTIONS ON ANGOLA/UNITA HAS BEEN EXTENDED, AND IT IS EXPECTED THAT THE MANDATE OF THE PANEL EXAMINING VIOLATIONS OF UN SANCTIONS ON SIERRA LEONE/RUF WILL ALSO BE EXTENDED. THIS WILL ENSURE THAT THE CONFLICT DIAMONDS ISSUE WILL REMAIN IN THE SPOTLIGHT AT THE UN.

12.(U) THE WORLD DIAMOND COUNCIL HAS DRAFTED SEPARATE LEGISLATION THAT WOULD BAN DIAMOND IMPORTS INTO THE U.S. FROM COUNTRIES NOT IMPLEMENTING A SYSTEM OF ROUGH DIAMOND CONTROLS OR COOPERATING IN AN EFFORT TO ESTABLISH SUCH A SYSTEM. IT WOULD DIRECT THE PRESIDENT TO NEGOTIATE AN AGREEMENT ON A GLOBAL SYSTEM OF ROUGH DIAMOND CONTROLS. THE ADMINISTRATION HAS NOT TAKEN A POSITION ON THE WDC BILL OR THE PLANNED HALL

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BILL, THOUGH USG OFFICIALS HAVE LAUDED THE FACT THAT INDUSTRY, NGOS, AND MEMBERS OF CONGRESS ARE SEEKING TO CONTRIBUTE TO A RESOLUTION OF THE CONFLICT DIAMONDS ISSUE.

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ACTION REQUESTS

13.(C) FOR NEW DELHI: SEVERAL DELEGATIONS EXPRESSED CONCERN THAT INDIA, HOME OF ONE OF THE WORLD'S MOST IMPORTANT DIAMOND POLISHING INDUSTRIES, WAS NOT REPRESENTED EXCEPT BY ITS HIGH COMMISSIONER TO NAMIBIA, WHO SAID ALMOST NOTHING. DELEGATIONS REQUESTED THE CHAIR TO ASK INDIA TO JOIN THE TASK FORCE AND EXPRESSED HOPE THAT INDIA WOULD PARTICIPATE ACTIVELY IN FUTURE KIMBERLEY PROCESS MEETINGS. DEPARTMENT REQUESTS THAT POST CONTACT GOI OFFICIALS, ENCOURAGE A RAPID AND CONSTRUCTIVE GOI RESPONSE TO THE TASK FORCE QUESTIONNAIRE, AND URGE APPROPRIATE GOI PARTICIPATION IN THE BELGIUM MEETING PLANNED FOR LATE APRIL.

14.(U) FOR PRETORIA: IT IS IMPORTANT TO REINFORCE THE SAG'S ROLE AS CHAIR OF THE KIMBERLEY PROCESS. PLEASE

CONVEY OUR SATISFACTION WITH THE SAG'S COMMITMENT OF TIME AND ENERGY IN CHAIRING THE TASK FORCE AND KIMBERLEY PLUS SESSIONS. WE APPRECIATE THEIR CONTINUED COMMITMENT IN CHAIRING THE SERIES OF MEETINGS PLANNED OVER THE COMING MONTHS.

15.(U) FOR WINDHOEK: PLEASE THANK THE NAMIBIAN GOVERNMENT FOR HOSTING THE CONFERENCE. THEIR EFFORTS RESULTED IN A MEETING THAT HAS BEEN THE MOST SIGNIFICANT TO DATE IN LAYING THE FOUNDATION FOR A DIAMOND CERTIFICATION SYSTEM.

16.(C) FOR ABU DHABI: THE UAE WAS IDENTIFIED IN THE UN
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REPORTS ON VIOLATIONS OF SIERRA LEONE SANCTIONS AS A TRANSSHIPMENT POINT FOR ARMS PURCHASED FOR THE RUF WITH CONFLICT DIAMONDS, AND UAE RESIDENT VICTOR BOUT WAS IDENTIFIED AS A KEY MIDDLEMAN IN THIS TRADE. IT SEEMS LIKELY THAT FOR A GLOBAL ROUGH DIAMOND CERTIFICATION SYSTEM TO BE EFFECTIVE, IT WOULD NEED EITHER TO INCLUDE ACTIVE COOPERATION ON THE PART OF UAE AUTHORITIES OR TO EXCLUDE ANY DIAMONDS THAT ARE SHIPPED THROUGH THE UAE. DEPARTMENT WILL SEND TALKING POINTS SEPTTEL TO REQUEST THAT EMBASSY URGE GOVERNMENT OFFICIALS TO RESPOND RAPIDLY AND CONSTRUCTIVELY TO THE TASK FORCE DIAMOND IMPORT/EXPORT CONTROLS QUESTIONNAIRE, AND ENCOURAGE UAE PARTICIPATION IN FUTURE KIMBERLEY PROCESS MEETINGS.

15.(U) DEPARTMENT POINT OF CONTACT FOR DEMARCHE IS

EB/ESC:DOUGLAS NEUMANN.

16.(U) FREETOWN MINIMIZE CONSIDERED.
POWELL

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